

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

In re:)
)
Joe E. Campbell) **Case No. 16-14709 JDL**
) **Chapter 13**
Debtor.)
)

**DEBTOR'S AMENDED MOTION TO REINSTATE AUTOMATIC STAY
PURSUANT TO 11 U.S.C § 362(c)(3)(B) WITH NOTICE OF OPPORTUNITY OF
HEARING AND NOTICE OF HEARING**

NOTICE OF OPPORTUNITY FOR HEARING

Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written Response or Objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, Oklahoma, 73102 no later than fourteen (14) days from the date of filing of this request for relief. You should also mail a file-stamped copy of your Response or Objection to the above signed attorney for the Debtors [and others who are required to be served] and file a Certificate of Service with the Court. If no response or objection is timely filed, the Court may grant the requested relief without a hearing or further notice.

The time period for the filing of your Response or Objection above set forth includes the three (3) days allowed for mailing provided for in Rule 9006 (f).

**NOTICE OF HEARING
(TO BE HELD IF A RESPONSE IS FILED)**

Notice is hereby given that if a response to the Debtor's Amended Motion to Reinstate Automatic Stay Pursuant to 11 U.S.C. § 362(c)(3)(B) With Notice Of Opportunity Of Hearing is filed, the hearing on the matter will be held on December 20, 2016 at 2:00 p.m. in the 2nd floor courtroom of the United States Bankruptcy Court for the Western District of Oklahoma, 215 Dean A. McGee Avenue, Oklahoma City, OK 73102. If no response is timely filed and the court grants the requested relief prior to the above-referenced hearing date, the hearing will be stricken from the docket of the Court.

COMES NOW the Debtor, Joe E Campbell, by and through his attorney, Chris Mudd, and moves the Court to enter an Order continuing the automatic stay pursuant to section 11 U.S.C. § 362(c)(3)(B). In support of said Motion, Debtor would state as follows:

1. The above-entitled case was commenced by filing a voluntary petition under Chapter 13 on November 22, 2016.
2. Debtor filed the Chapter 13 in good faith. Debtor has the income to make the Chapter 13 monthly payment and anticipates he will be able to continue the plan to completion.
3. Debtor has previously filed Chapter 13 bankruptcy in the following cases:

Case No. 16-10183 filed on 01/22/16
Case No. 16-12163 filed on 06/01/2016

4. Debtor's previous Chapter 13 case was dismissed on October 18, 2016 for failure to make chapter 13 plan payments. The payments were too high due to the arrearage on his mortgage. Although Debtor was laid off in February 2016 from his job¹ he was re-hired and believed to have the sufficient income to make the payment. However, with the financial assistance Debtor was providing to his family on top of paying the Chapter 13 monthly payment Debtor was inundated and could not keep current on the Chapter 13 payments.
5. Debtor has obtained a loan modification and his mortgage is now outside his plan. Thus, making the payment for Chapter 13 Plan more affordable.
6. Debtor has decreased the financial assistance to his family and is only paying the necessities needed to keep the home and car for his youngest daughter and wife².

WHEREFORE the Debtor prays this Court enter an Order to reinstate an Automatic Stay as to all creditors and any other relief to which movant may be entitled.

¹ The reason the 16-10183 chapter 13 filed on 1/22/2016 was dismissed on 06/17/2016

² Debtor is separated from his spouse and lives in a separate household.

Respectfully submitted,

/s/ Chris Mudd
Chris Mudd, OBA #14008
3904 NW 23rd Street
Oklahoma City, Oklahoma 73107
chrismudd@chrismudd.com
405-529-9377 - Telephone
405-842-4000 - Fax
ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

I certify that on 30th day of November, 2016, I electronically transmitted to the Clerk of the Bankruptcy Court using the ECF system for filing the above and foregoing document and it has been electronically transmitted to the parties listed below:

- John T. Hardeman 13trustee@chp13okc.com, trustee@chp13okc.com
- United States Trustee Ustpregion20.oc.ecf@usdoj.gov

This is to certify that on this 30th day of November, 2016, a true and correct copy of the foregoing was mailed, with postage thereon being fully prepaid to the following listed below and on the attached mailing list.

Joe Campbell
3022 Southwest 89th Street Apt. C
Oklahoma City, OK 73160

Exeter Finance Corp
P.O. Box 165028
Irving, TX 75016

/s/ Chris Mudd
Chris Mudd